THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.20521 of 2007
Date: 28-09-2007

Between:
Bathula Mala Kondareddy

Petitioner

And

The Government of Andhra Pradesh,
rep. by it's Secretary, Tribal Welfare Department,
Secretariat Buildings, Hyderabad and others

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.20521 of 2007

ORDER:

1. Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

2. Against an order passed by the Agency Divisional Officer, Paloncha, Khammam District in L.T.R. Case No. H.147/95/BPD dated 17-10-2000 an appeal has been preferred under the Andhra Pradesh Scheduled Area Land Transfer Regulations before the Agent to the Government at Khammam. The Agent to the Government, Khammam had entertained the appeal-C.M.A.No.15 of 2002 and confirmed the orders of the Agency Divisional Officer, Paloncha, Khammam on 28-11-2003. Against the said orders, the petitioner filed W.P.No.6625 of 2004 before a Division Bench of this Court and the Division Bench, while disposing of the writ petition, by order dated 08-06-2007, has given liberty to the petitioner to file revision before the Government and ordered status quo in respect of possession for a period of three weeks. As such, the petitioner filed revision before the Government on 05-07-2007 along with application for stay of dispossession from the land pending disposal of the revision. In the mean time, the Tahsildar–4th respondent is taking steps to dispossess the petitioner from the land. Hence, this writ petition.

3. Once a revision is preferred to the Government, it is only expected that it is attended to at the earliest convenient time. If the

revision itself cannot be decided, the interlocutory application moved by the parties seeking urgent interim orders could be attended to in the meantime. It is no doubt true that the Hon'ble Minister, Tribal Welfare may be preoccupied with more pressing and important public duties, but that is no justification for not entertaining the revision filed before it for months together.

4. In these set of circumstances, I consider it appropriate to direct the first respondent to entertain, hear and decide the revision filed against the orders of the Agent to Government at Khammam dated 28-11-2003 on or before 30th June,2008. Till such time, there shall be stay of dispossession in favour of the writ petitioner, if not already dispossessed from the schedule land i.e. from Ac.3.08 gts. in Survey No.421/1/10 of Morampalli Banjar village, Burgampad Mandal, Khammam District. It is however, open to the first respondent to independently consider the interlocutory application moved by the writ petitioner herein and decide the same on merits even before it decides the revision preferred to it.

5. With this, the writ petition stands disposed of.

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NOOTY RAMAMOHANA RAO,J

28-09-2007

Note:

C.C. in one week

B/o.

Stp